

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.2653 OF 2024

Akash Parmar Ramprakash Thakur ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr Kuldeep Nikam, for the applicant.

Ms. Priyanka Rane, APP, for the Respondent / State.

CORAM : ANIL S. KILOR, J.

DATE : 24th SEPTEMBER, 2024.

PC:

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.35 of 2024, registered with Ghoti Police Station, Nashik Gramin, for the offences punishable under Sections 395 and 341 of the Indian Penal Code.

3. The allegation against the applicant is that the applicant was working in a courier company. He was knowing about the dispatch of the assignment which was allegedly stolen by the co-accused and who has given the information of said assignment to the co-accused.

4. However, nothing has been pointed out from the material collected by the IO during the investigation to show that what is the mode by which the information was given to the co-accused by the applicant about the dispatch of the said assignment containing gold.
5. There are no CDR to show that the applicant and the co-accused person were in contact with each other.
6. It is evident from the charge-sheet that the applicant has been implicated as accused on the basis of the statement of the co-accused.
7. In the circumstances, considering the nature of evidence available against the applicant and the fact that the charge-sheet has been filed, I am of the opinion that the further custody of the applicant is not necessary. Accordingly, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in Crime No.35 of 2024, registered with Ghoti Police Station, Nashik Gramin, for the offences punishable under Sections 395 and 341 of the Indian Penal Code, on furnishing P.R. Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;
- iii) The applicant shall attend the said Police Station on 1st day of every month between 10.00a.m. to 11.00 a.m., till the conclusion of the trial except on the date of trial;

v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

vi) Liberty is granted to the State to apply for cancellation of bail in case of any breach of condition if the applicant commenced similar offence;

8. The application is disposed of.

(ANIL S. KILOR, J)